REMARKS

Applicants respectfully request consideration of the subject application as amended herein. A Request for Continued Examination ("RCE") is filed herewith.

This Amendment is submitted in response to the Office Action mailed October 4, 2005. Claims 1-40 are rejected. In this Amendment, claims 1, 2, 6, 7, 11, 12, 16, 17, 20, 21, 22, 26, 27, 31, 32, 36, and 27 have been amended. Applicants respectfully submit that no new matter has been added.

Applicants reserve all rights with respect to the applicability of the Doctrine of Equivalents.

Claim Objections

Applicants have amended claim 20 to overcome Examiner's objection.

Rejections under 35 U.S.C. § 103(a)

The Examiner has rejected claims 1, 5, 6, 10, 11, 15, 16, 20, 21, 25, 26, 30, 31, 35, 36 and 40 under 35 U.S.C. §103(a) as being unpatentable over Mauger (U.S. Patent No. 6,882,643) in view of Lundback (U.S. Patent No. 6,912,590). The Examiner has rejected claims 2, 7, 12, 17, 22, 27, 32 and 37 under 35 U.S.C. §103(a) as being unpatentable over Mauger and Lundback and further in view of Rekhter (U.S. Patent No. 6,339,595). As discussed below, the pending claims are patentable over the above references.

Applicants respectfully submit that Mauger and Lundback, either individually or in combination, do not teach or suggest each and every limitation of independent claims 1, 6, 11, 16, 21, 26, 31 and 36. Specifically, the combination of Mauger and Lundback, either does not

teach or suggest that the MPLS packet contains an <u>ATM header and a control word</u>, as recited in independent claims 1, 6, 11, 16, 21, 26, 31 and 36.

Mauger discloses ATM AAL1 or AAL2 being transferred over MPLS. (Mauger, col. 8, lines 41-42). A full ATM cell is carried including both the ATM payload and the ATM header. (Mauger, col. 8, lines 45-48; Figure 4). Thus, Mauger is silent about and does not teach or suggest that the <u>MPLS packet contains an ATM header and a control word</u>, as claimed. With respect to this limitation, the Examiner has interpreted (see rejection of claim 2) the Access Control Field of an ATM header as being equivalent to the control word, as claimed. Applicants respectfully submit that independent claims 1, 6, 11, 16, 21, 26, 31 and 36, as amended, recited that the MPLS packet contains both an ATM header and a control word.

Lundback does not supply the missing limitations. Lundback states only that the AAL5 is used to transport IP packets over ATM and those IP packets are encapsulated into AAL5 Service Data Units. Lundback is silent about and therefore, does not teach or suggest that the MPLS packet contains an <u>ATM header and a control word</u>, as claimed.

Applicants further submit that Rekhter does not supply the missing limitations. Rekhter discloses peer-model support for virtual private networks with potentially overlapping addresses. Rekhter is silent about and therefore, does not teach or suggest an MPLS packet generated from an enhanced AAL5 packet, and routed over an MPLS network, as claimed.
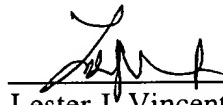
As none of Mauger, Lundback and Rekhter teach each and every limitation of independent claims 1, 6, 11, 16, 21, 26, 31 and 36, applicants respectfully submit that independent claims 1, 6, 11, 16, 21, 26, 31 and 36, and associated dependent claims are not obvious over the references.

It is respectfully submitted that in view of the arguments set forth herein, the applicable

rejections and objections have been overcome. If there are any additional charges, please charge

Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Lester J. Vincent
Reg. No. 31,460

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(408) 720-8300